MESSAGE

OF THE

GOVERNOR OF FLORIDA,

SUBMITTED, WITH

Accompanying Documents,

NOVEMBER 28, 1854.

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GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,
TALLAHASSEE, November 24, 1854.

Fellow-Citizens of the Senate
and House of Representatives:

It gives me pleasure to welcome you to the Seat of Government, and to congratulate you upon the favorable circumstances under which you have assembled.

During the year now nearly closed, our State appears to have been especially favored by Divine Providence. While some sections have been visited with drought, and others with storms and floods, we have enjoyed a propitious season. The earth has rewarded the diligent husbandman with a fair harvest, and with remunerating prices for our great staple, we may expect throughout our borders a state of prosperity which should be highly satisfactory. But this is not the only or even the more important evidence of such favor.

Disease and death have visited many sections of our common country with unrelenting violence. Insatiable in their demands, they have spared neither age nor sex. Their victims have been claimed from every class and condition —the tenant of the hovel and the palace have alike become the tenants of the grave. The benevolent physician, as he has been ministering to the sick and dying, has been stricken and called to his reward! The man of God, while pointing out to dying penitents the road to Heaven, has himself been summoned to that blessed abode! Human sympathy has been awakened, and human benevolence has made willing sacrifices; but no sacrifices, however noble, no sympathy, however earnest, could do more than miti-

gate suffering. Death has done its work, and whole communities have been clothed with the habiliments of mourning. Against such visitations, our commonwealth has been mercifully protected. The general health of our people has rarely been better, and while the afflictions with which our sister communities have been visited, applies most forcibly to us the admonition, "be ye also ready," our extraordinary exemption calls upon us for the most humble and devout gratitude to that beneficent Being who, while He rules in the armies of Heaven, deigns to minister to His creatures on earth.

The Constitution makes it the duty of the Executive to "give to the General Assembly information of the state of the Government, and recommend to their consideration such measures as he may deem expedient." In discharge of this duty, I beg leave to invite your attention to the accompanying

OFFICIAL REPORTS.

The Report of the Treasurer shows that the revenue of the State for the year preceding the 1st November, has been considerably in excess of the disbursements, and that the finances are in a healthy and satisfactory condition.—The amounts borrowed from the different State funds, to pay the expenses of suppressing Indian hostilities, have not yet been refunded by the Federal Government, and it may become necessary for the General Assembly at its present session, to make further provision for the payment of the first, and perhaps the second instalments of the script, authorized by the last General Assembly to be issued, under an Act entitled "An Act to provide for the payment of Captain Sparkman's, Parker's and other Volunteer Companies, for services in the year 1849." Accompanying this Report is the Treasurer's accounts with the Seminary, School, and Internal Improvement funds, which, with the accompanying accounts of Major Beard, the Comptroller, charged by law with the investment, will

show the amount and present condition of these various funds, so far as they have been paid over into the Treasury.

The Report of the Register of Public Lands furnishes a most satisfactory exhibit of the transactions of his office during the past two years, with the balances remaining unpaid on account of sales for the various funds committed to his charge, and which have, therefore, never gone into the Treasurer's accounts. I would here remark, that such is the complication of duties under the law, governing these funds, that to procure information of their condition and extent, a careful examination of the Register's, Treasurer's and Comptroller's accounts is necessary. It is respectfully suggested that these accounts might be simplified without detriment to the public interest.

The accounts of the Register are accompanied by such suggestions, on the subjects of Seminaries and Common Schools, as his observation and experience have qualified him to offer; and to these your attention is respectfully invited. It is a matter of deep regret that more has not been effected, in the way of organizing Common Schools, but I apprehend that this is not attributable to the want of a proper interest in the subject, by those to whom the law has committed it, nor to the want of energy in the law itself, but to the insufficiency of the fund. The increase of this fund is a matter of great State interest, and should enlist the talents and efforts of every citizen. Until such increase is effected, it can hardly be expected that the benefits of the system can become general.

The Report is accompanied by a Report from the Board of Education of the State Seminary at Ocala, in East Florida, suggesting measures for the improvement of the fund, and showing the condition of the institution, to which I invite your attention.

The Report required by law to be made to the General Assembly, by the Attorney General, accompanies this communication. You are respectfully referred to it for valuable suggestions on the subject of our Quarantine laws,

Pilotage at Key West, and for a statement of the present condition of the suit pending in the Supreme Court of the United States, between this State and Georgia, to settle the question of boundary. On this subject I will, at some early day, make to the General Assembly a special communication.

The resignation of Major John Beard, as Comptroller of the Treasury, created a vacancy which was filled by the appointment of Theodore W. Brevard, to serve until the last day of the present session of the General Assembly. On the 2d of October last, I granted to the Comptroller a temporary leave of absence, and have since extended it, in consequence of his having accidentally received a serious injury, which has prevented his return up to this date. I have made no *ad interim* appointment, because I desired the benefit of his suggestions on the subject of revenue, &c. It is hoped that he will be able to return and resume his duties at an early day, when his report will be communicated to the General Assembly.

Your attention is respectfully called to the General Report of the State Engineer and Geologist, with the accompanying reports, marked A. B. and C. The Board of Internal Improvement will meet in Tallahassee on Monday the 4th prox., after which I may make to the General Assembly a communication on some of the points embraced in the General Report.

The report of the Quartermaster General shows the number and condition of the State arms, and the letter of Col. Craig of the Ordnance Department, and the account current between the State and the General Government, herewith communicated, shows the extent of our indebtedness for arms over-drawn. This State has made no report of her military strength since the year 1845, and as a necessary consequence, the apportionment of arms to us has been annually diminishing. We have no military organization worthy of the name, and cannot expect to have until the State is prepared to pay at least the expenses of some pa-

triotic and public spirited citizen, who will devote his time and talents to the work. A report from the Adjutant General's office in 1845, secured us an annual apportionment of arms amounting, in the aggregate, to what is estimated as the equivalent of 836 muskets, and we have paid more than four thousand dollars to have them preserved. The arms now on hand will soon have cost the State more than their value, and as there is under our present organization no prospect of receiving additions for the next fifteen years, I respectfully suggest to the General Assembly that suitable provision be made for the efficient organization of the Militia of the State, or that the office of Quartermaster General be abolished, and the arms turned over, with the other State property, to the Treasury.

SALARIES.

The constitutional provision that the compensation of the Governor "shall not be increased, or diminished, during the term for which he shall have been elected," relieves me from any embarrassment in calling your attention to the subject of salaries. When most of the present salaries of the officers connected with the Executive Department were fixed, the expenses of living were less—the price of labor less—and the duties of the officers much less onerous than at present. Under the present scale, no man having a family to support can afford to accept an office in the Executive Department, unless he has a residence of his own at the capital, with his own servants, and is so situated as to be able to add something to his salary income. The salary of the Treasurer of this State, who is required to find good and sufficient security for seventy-five thousand dollars, and is charged with the risk, not only of receiving and disbursing the revenues of the State, but with the preservation of the State's property, and the safe keeping, disbursement, &c., of the large and increasing amounts of money and bonds belonging to the Seminary, School and Internal Improvement Funds, is several hundred dollars per annum less than is paid by the merchants of this city

for competent book-keepers. The subject is one which calls for examination, and is respectfully submitted for your consideration.

INDIANS.

The General Assembly, at its last session, passed an act for the final removal of the Indians from the State, and for other purposes. That act required the Governor to raise one Brigade, to be composed of one Regiment of Mounted Volunteers, and one Regiment of Infantry, of not more than one thousand men each. It required him to commission the officers elected, including the Brigadier General elected by the joint vote of the General Assembly, and when organized, to tender the Brigade to the General Government for the removal of the Indians.

These duties were purely executory, and finding them wholly unexecuted at the date of my qualification, I commissioned Allen G. Johnson, who had been elected Brigadier General by the General Assembly, and placed him under orders to raise his Brigade, with a view to tendering it to the General Government as required by the act.

He reports to me that the Mounted Regiment is enrolled and ready for organization, but that he has not been able to raise a single company of Infantry, and doubts whether, under existing circumstances, that Regiment can be procured. This being the case, I have been unable to organize the Brigade as required by the act, and have consequently made no tender of its services to the Federal Government. The further duties required of the Governor in executing the law, were made to depend upon the Government's refusing to accept the services of the Brigade, and upon several other contingencies, neither of which has occurred. I have, therefore, issued no bonds and incurred no obligations for the State; and whilst I have at all times been ready to act promptly in discharging the duties assigned me, I have not found it necessary to make further use of the powers which the act conferred upon the Executive.

The failure to raise the regiment of Infantry, renders a material modification of the law necessary, and it is possible that your deliberations may lead you to consider important changes desirable. I am advised by Capt. Casey, the agent of the Government, that the Indians are peaceably disposed, and he expresses the opinion that a rigid enforcement of the State law prohibiting all persons from trading with them, or in any manner furnishing them supplies, will lead at no distant day to their peaceable emigration. Having received information that the law had been violated, I instructed the District Attorney for the Southern District to enquire into the matter, and to use his best efforts to convict and punish the violators.

The duty of removing these Indians from our State, has been transferred by the present Administration from the Interior to the War Department, and is now in the hands of General Davis—a man who, as a statesman and a soldier, has always been equal to his duty. I have reason to believe that while he greatly desires to effect the object peaceably, he will use coercive measures if necessary, and that the Government is not entertaining the idea of adopting a policy which looks to a permanent settlement of these people within our borders. It will be for the General Assembly to determine whether the State will wait longer, or whether she will take the matter into her own hands. If we determine to wait, I would respectfully suggest that the large discretion conferred on the Governor in the law of the last session be repealed, and that some simple provision for protection in case of emergency be substituted. If, on the other hand, it is determined to proceed at once to coercive measures, I would respectfully suggest that the provision made in the law of the last session will be found inadequate. The appropriation is too small for such a service, and the means provided for raising the money would probably be unreliable in the present state of financial derangements. The question is submitted to you, as the people's representatives, with a confidence that it will receive

that careful consideration and prudent action which its delicacy and importance demand.

INTERNAL IMPROVEMENTS.

The framers of the Constitution were deeply impressed with the importance of a liberal system of Internal Improvements, and provided that such a system should be encouraged by our State Government. The time has probably arrived when our duty to ourselves and our constituents requires us to fix upon and adopt a State system, and determine the extent to which we can, as a Government, aid in its construction. To determine these points, and act upon such determination, is to affect for weal or for woe the best interests of our commonwealth, and therefore involves grave and important responsibilities. So far as these may attach properly to the Executive Department, I am prepared to assume them, and feel no hesitation in declaring that in my judgment no State system will be worthy of the name which fails to connect Fernandina, or some other equally accessible point on our Atlantic Coast, with Tampa Bay in the South and Pensacola Bay in the West. These two, as great main trunks, would form the basis of a system which would be worthy of the "sea girt State." Less than these would be unworthy of our enviable geographical position. These trunks would throw off their branches, or feeders, to every point where a sufficient commerce would invite them, and thus, not only every section of our State, but almost every County, would share in their benefits.

It has been doubted by some whether such Roads would pay. I have not shared in such doubts. Few if any Roads in the South, according to their length, pass through larger portions of rich agricultural country than these, and none probably through a greater extent of pine forests, adapted to the business of lumber and naval stores. It is uniformly conceded that Roads relieved from undue competition, pay well in good cotton growing districts, but it is not generally understood that one man employed in the

turpentine business, will furnish more freight to a Railroad, than ten men engaged in the culture of cotton. And yet such is the case. It has been demonstrated by at least one of our Southern Companies, that where a Road passes in equal portions through a pine forest unfit for cultivation, but abounding in naval stores, and through a rich agricultural district, the forest furnishes freight ten times as great as the agriculture. In our case, the two sources of supply are happily combined—Cotton and Sugar, with tropical fruits, &c., for winter transportation, and naval stores and lumber for the summer. Thus provided, it can hardly be doubted that the local business offered to these Roads, would be at least equal to that done on any Roads in the Southern States.

But this is not all. It must be remembered that more than one half of all the produce exported from the United States passes through the Gulf of Mexico, and around the Peninsula of Florida. The articles received in exchange for this, are doomed to the same tedious, hazardous and expensive navigation; and when we recollect that the extra insurance on nearly all light goods, added to the loss of interest by detention, would more than pay the whole freight from New York to their place of destination, we may reasonably infer that the through freight would be an item of no small importance.

But these, however ample, would not be our only sources of income. Our geographical position would of necessity make our roads great mail routes, and the most important thoroughfares of travel between the Atlantic and Pacific oceans. It is doubted whether their income from through travel, would be equaled by any two American roads of similar length, south of New York. To these advantages, local and geographical, may be added another worthy of consideration. The right of way, it is believed, could be procured on both lines, at a cost merely nominal; both roads would pass through country abounding in the very best timber for superstructure, and which, to a great ex-

tent, has been graded by nature, enabling us, it is believed, to build first class roads at much less expense than any of our neighbors. When we consider all these advantages, and contrast them with other enterprises already completed, which are paying good dividends, and whose stock is in demand at, and above par, it is difficult to resist the impression, that our General Assembly acted wisely in fixing a limit beyond which the annual profits of these companies should not be extended.

But suppose we are mistaken in the extent of business which would be thrown upon these roads, and consequently in the amount of profit to be derived from the investment, we should even then find ourselves abundantly rewarded, in having appropriated to purposes of profitable trade, at least three of the finest harbors in the South,—in having built up, within our own borders, three cities destined to become great marts of commerce—in having removed the inaccessibility, which has hung like an incumbus around us—in having increased the happiness, augmented the wealth, and secured the prosperity of our people, and last, though not least, in having blotted sectionalism from the map of Florida, and made our people one in interest and feeling.

That all these, and other advantages would follow the completion of these great enterprises, I have no doubt, and that they are worthy of the highest efforts of our Government and people, there can be no question. Let us, therefore, turn our attention to another, and controlling consideration connected with the subject.

Have we the ability? To what extent can the State engage in these enterprises consistently with the best interest of the people, and without a violation of the Constitution? These are questions which deserve, and will doubtless receive, your earnest and anxious consideration.

The 2nd Sec. of the 8th Article of the Constitution declares as follows: "No other or greater amount of tax or revenue, shall at any time be levied, than may be required

for the necessary expenses of Government." The 13th Sec. of the 13th Article declares, that "The General Assembly shall not pledge the faith and credit of the State to raise funds in aid of any corporation whatsoever."

Whatever opinion may be entertained of the wisdom of these provisions, all will agree that they prohibit the government from resorting to taxation in aid of internal improvements, and deprive this State of that description of credit, upon which others have relied, to the greatest extent, for the success of such enterprises. We are not, however, prevented from using money, and other assets, which we may at any time have, that are applicable to this purpose, in such manner as we may consider most advantageous; and to this part of the subject I beg leave to call your particular attention.

The Report of the Register of Public Lands shows sales of Internal Improvement land to the amount of $228,-121.52, and furnishes estimates for the land unsold, which would make the fund 965,000 dollars. This, with the interest already due and that will accumulate before the fund will probably be used, would justify us in estimating it in round numbers at one million. In addition to this, the Federal Government granted to the State, in 1850, all the swamp and overflowed land remaining unsold within our borders on the 28th of September of that year. The selections under this grant have been pressed forward by the State's agents with commendable energy, but are not yet completed, and many of those made have not yet received the final action of the Commissioner. Without knowing the extent of this fund, it may not be extravagant to estimate it at 8,000,000 acres, embracing, with much that is worthless, some of the most valuable land in the State.—The value of this fund has been variously estimated, but there can be little doubt that it can be relied on as a safe and sufficient security for two million dollars. This, added to the Internal Improvement fund, would give us a reliable security of three million, with which to commence

operations. With such a fund, we are now called upon to decide whether we will begin the work of frittering it away in local enterprises, and as food for local and sectional prejudices, or whether we will adopt a great State system, and enter upon its construction with a zeal and energy that will abate only with success—a system which will give us a commerce second probably to no State in the South, which will build up our infant manufactures, increase and develope our agricultural resources, improve the value of our lands, fill up our forests with an industrious and happy population, and make us a great and prosperous commonwealth. To my mind, the path of duty is plain.

A road from Fernandina to Tampa Bay, and one from a convenient point for intersection in Columbia county, to Pensacola, would not vary much from an aggregate of five hundred and twenty miles. It has been suggested that to secure the construction of these roads, the State might well afford to make a donation of all the funds; and that with such security, the companies could readily obtain the money necessary for building. Again it has been suggested, that a loan of the funds to the companies, to be used as a security, they agreeing to release them at some future day, and restore them to the State, would serve the purpose desired. To my mind, the first plan proposed is unnecessary, and not likely to meet with general acceptance. It would, to some extent, be unequal in the distribution of its benefits, because there would be no fund returned with which to aid in constructing the branch roads necessary to promote the interest of a large portion of the State, and which should be looked to as a part of the system. Nor is this the only objection to absorbing and sinking the fund. When it has served the purpose in aid of these various works, it should return to bless our people, by building a school house in every neighborhood, and securing a good English education to every child. To a loan there are grave objections; not the least of which is, that it would not be likely that the fund would return to the State.

The course, in my judgment, promising the best results, and calculated most certainly to succeed, is for the State, with the consent of the companies, to subscribe for stock to the extent of ten thousand dollars per mile, to be paid in State Internal Improvement bonds, payable in ten years, bearing interest, and to be delivered as required for the progress of the work; the payment for the principal and interest of these bonds to be secured by the hypothecation to the companies of all the Internal Improvement and swamp land funds, together with the stock for which the bonds were given.

The subscriptions should be accompanied by a contract on the part of the State, to sell the stock to the companies or their assignees at par, whenever they desired it, for the bonds at par. Thus the companies would be secured by the bonds of the State, the stock for which they were given, the Internal Improvement fund, the swamp land fund, and the right to convert the bonds into a stock that would, in my judgment, be second to few in the Union. To these securities the companies could add their private subscriptions by hypothecating the stock of the road, which, for the purposes of this argument, I will estimate at the sum of two million, or four thousand dollars per mile. So far as securing a loan would be concerned, the companies could make the State's securities as fully available as if they owned the fund as a donation; and the fact that the State had manifested her confidence in them, by large subscriptions to their stock, would greatly aid their negotiations. In this respect the companies would be benefitted, while the right to convert the bonds into stock at par would enable them to appropriate to themselves, if they should desire, the advantages of the whole enterprise, as fully as if the State had loaned the fund.

In speaking of the securities which such a subscription would enable these Companies to offer, it will be observed that I have said nothing of grants of land by the General

Government, and these, in some shape, they will doubtless receive.

The course which I have suggested would, I think, secure the early construction of both roads, and the State may be easily protected from loss or embarrassment by throwing the necessary safe-guards around the subscription and the issue of bonds.

I have thus, Fellow-Citizens, expressed my opinions fully and frankly on this subject. They are submitted for your consideration. Should the course which I have suggested fail to command your approbation, then will I most cheerfully co-operate with you in any other which promises greater benefits, and is not inconsistent with the provisions of the Constitution. That your united wisdom will enable you to adopt some system of operations which will secure the advantages so much desired, and at the same time be safe and judicious, I have no doubt; and having adopted it, let us take as our motto, "Energy and Action."

CHARTERS.

The General Assembly, at its last session, granted several charters, incorporating Railroad Companies, and among them one styled the Pensacola and Georgia Railroad Company. That charter gives a floating Eastern terminus to be fixed by the directors of the company, at any point they may select on the line dividing this State from the State of Georgia. A road built under it from Pensacola to the junction of the Flint and Chattahoochee, there to connect with a Georgia road to skirt our borders to the Atlantic, would prove a dangerous if not a successful rival of *one* of our great State lines; and I would respectfully suggest that, with the consent of the company, the charter be so modified as to locate its Eastern terminus at Fernandina, or at such point on, or near the Florida Railroad, as the company may designate, and that there be authority conferred to construct a branch road, if they desire, to the line of the State of Georgia at some point east of the Alapaha river.

So far as Railroads are concerned, it is believed that we

now have charters on our Statute Book which, with some unimportant amendments, will be found sufficient for the present wants of the State. The construction of these roads may be greatly embarrassed by the grant of charters for rival routes, and I respectfully suggest, that all such applications be carefully examined before being acted on.

I received from the Secretary of a Commercial Convention held in the city of Charleston in June last, a copy of certain resolutions on the subject of the Pacific Railroad, accompanied by a communication from a committee charged by the Convention with certain duties, and enclosing copies of bills, &c., on which the action of the General Assembly of this State is requested. They are herewith communicated and your attention respectfully invited to the consideration of the application.

TAXATION.

The Constitution requires the General Assembly to adopt "an equal and uniform mode of taxation." This requirement should be obeyed, or the section amended. Justice would seem to require the State to distribute the burthens of Government as she does its benefits—that those who receive the same measure of protection should contribute the same amount to the revenue. This is indeed the policy indicated by the Constitution, but I respectfully suggest that the present revenue laws of the State fail to put it into practice. The law imposes a capitation and propty tax upon Lawyers, Doctors, Weighers, Inspectors and Pilots, just as it does upon Planters, Manufacturers, Merchants and Teachers; and yet, in the case of the former, a tax is required on their income, which is not required on the income of the latter. The Government confers no more protection upon the profession of law or medicine, than it does upon those of agriculture or manufactures, and it is difficult to vindicate the justice of a law which imposes upon them an unequal portion of the burthens of Government. Nor are these the only classes against whom the inequality operates. A planter in the country purchases two

thousand acres of second rate land, for twenty thousand dollars—he constructs a princely mansion and makes other impovements worth twenty thousand more—he stocks his plantation with horses, mules, implements of husbandry, &c., at a cost of five thousand, and furnishes his house at a cost of another five thousand, making an estate of fifty thousand dollars on which he receives the protection of the Government, and for this he pays $8\frac{1}{4}$ mills per acre on his land, or the sum of sixteen dollars and fifty cents. A mechanic or manufacturer, whose occupation requires him to reside in a town or city, invests fifty thousand dollars in houses and lots for his residence, workshops, &c. On this investment he receives the protection of the Government, and because it happens to be within the corporate limits of, even a villa, he pays twenty-two cents on every hundred dollars value thereof, or the handsome little sum of one hundred and ten dollars. Here are two citizens enjoying the same measure of protection, and under a constitution which requires a "uniform mode of taxation," and yet one pays towards the support of the Government more than six times the amount paid by the other. Again the citizen who has his estate invested at interest, or in property which pays a valuation assessment, contributes twenty-two cents on each hundred dollars; whereas at the present value of slave property, it pays but little, if any, over half as much. A man who owns a saw mill worth four thousand dollars, pays a tax of eight dollars and eighty cents; whereas his neighbor, who owns one thousand head of cattle worth the same amount, pays only two dollars and fifty cents. Can this be "an equal and uniform mode of taxation?" If it is not, then I apprehend that it does not meet the requirements of the Constitution. The question is one of importance, because it affects the relative burthens imposed, and benefits conferred, upon every citizen by the Government of his State. It is submitted for the consideration of the General Assembly, and I respectfully recommend that such modifications be made as will conform the

law as nearly as possible to the requirements of the Constitution.

CRIMINAL PROSECUTIONS.

The expenses of prosecuting criminals in this State, have greatly increased within the last few years. For the fiscal year 1850, they amounted to the sum of $7,457.24; for the fiscal year 1853 to $13,172.91, and for the last fiscal year to $13,086.66, being an increase of nearly eighty per cent. in four years. From such an increase of expense we would naturally infer an increase of business, and consequent augmentation of the receipts from that source; but such is not the case. The fines collected in 1850 amounted to $1,-924.10, whereas the fines collected in 1854 were only $1,-626.60, showing that while the expenses increased 80 per cent., the collections decreased over 15 per cent. The payment into the Treasury from this source, amounts to less than one fortieth part of the State's revenue, while the amount paid out is more than one fifth of the entire expenses of the State Government. This subject merits a careful investigation, and is submitted for your consideration with the hope that the source of the evil will be found, and the proper remedy applied.

RETAILER'S LICENSE.

That there is a diversity of opinion among the people of this State on the subject of license generally, there can be no doubt, and that the question has to some extent, and will probably to a still greater extent, be carried to the ballot box in our political elections, we have reason to fear. Like every question affecting the people, it should be referred to them for settlement, and this I think may readily be done. The revenue laws of this State restrict the Boards of County Commissioners, in the exercise of the taxing power, to levying a tax not greater than one half of the tax levied by the State, and this restriction has been held to apply also to the question of license. All that is necessary to enable each County in the State to decide the question

for itself, is to remove the restriction on the taxing power. The issue would then be changed from our political to our County elections, and would be contested in the selection of the Boards of County Commissioners. These elections, it will be remembered, come off when there is no political contest in the State, and would be relieved from all party bias. If the sale of intoxicating liquors is a great evil, the people should have the right to relieve themselves from its influence, and whether it is or is not such an evil, those affected by it should have the right to judge.

The General Assembly, at its last session, passed an act providing that "retailers of spirituous liquors shall pay annually the sum of two hundred dollars" for a license. This law, I am of opinion, has been highly beneficial, but it is urged, and with good reason, that it is unequal in its operation. It attempts to lessen the number of retailers, but leaves untouched the dealer from one quart upwards. Should the General Assembly decline to refer the question to the respective County Governments, as I have suggested, then I respectfully recommend such an amendment of the law as will embrace those who sell intoxicating liquors, without reference to the quantity.

CESSION OF WEST FLORIDA.

I have received from his Excellency, the Governor of Alabama, a copy of a joint resolution of the General Assembly of that State, approved February 15, 1854, proposing that the State of Florida shall cede to the State of Alabama all that portion of her Territory lying west of the Chattahoochee and Apalachicola Rivers, with a request that the said resolution be laid before the General Assembly of this State. I herewith enclose it, and beg leave to remark that a compliance with the wishes of our sister State would transfer the city of Apalachicola, the largest commercial city in Florida—would transfer the Bays of St. Josephs, St. Andrews and Pensacola—would cut off from our jurisdiction one of the most interesting and valuable sea coasts in the United States, and would give to Alabama

nstead of Florida, at some future day, the great city of the South. Such an act of liberality, I humbly conceive, is more than should be expected, and it is not likely to receive a favorable consideration at the hands of the people's representatives.

STATE LIBRARY.

The Library has received large and valuable additions during the past year. The duties of Librarian have been discharged by the Secretary of State, and his office has been used as a Library Room. I respectfully suggest that a larger room should be provided, and a librarian appointed, with a moderate salary. The books are of great value, and the duties of the office are too onerous to be made an appendage, without compensation, to any office in the Executive Department.

CENSUS AND APPORTIONMENT.

The duty of providing for an enumeration of the inhabitants of this State, and for apportioning the representation, will devolve upon the present General Assembly.

The Constitution appears to contemplate the apportionment after the enumeration, and whether it will be competent for the General Assembly to establish the basis and delegate to others the arrangement of details, &c., is a question worthy of consideration.

In connection with this enumeration, I would respectfully suggest that a general table of statistics be arranged, embracing most of the subjects in the United States Census of 1850, and adding the statistics of wealth, including everything of value.

AMENDMENTS OF THE CONSTITUTION.

The 3rd Sec. of the 6th Article of the Constitution provides that "No President, Director, Cashier or other officer of any Banking Company in this State, shall be eligible to the office of Governor, Senator or Representative to the General Assembly of this State, so long as he shall be such President, Director, Cashier or other officer, nor un-

til the lapse of twelve months from the time at which he shall have ceased to be such President, Director, Cashier, or other officer."

The 8th Sec. of the 6th Article provides that "No Governor, Justice of the Supreme Court, Chancellor, or Judge of this State, shall be eligible to election or appointment, to any other and different station, or office, or post of honor, or emolument, under this State, or to the station of Senator or Representative in Congress of the United States, until one year after he shall have ceased to be such Governor, Justice, Chancellor, or Judge."

The 10th Sec. of the 6th Article provides that "No Minister of the Gospel shall be eligible to the office of Governor, Senator, or member of the House of Representatives of this State."

If there were reasons existing at the time when our Constitution was adopted which justified the partial disfranchisement of any citizen, except for crimes which rendered him unworthy of public confidence, it is believed that they no longer exist, and the policy of excluding from offices of trust any class of citizens, in consequence of their occupation or profession, is exceedingly questionable. I beg leave to call your attention to these sections, and respectfully suggest the propriety of taking the necessary steps to modify or repeal them.

The amendment of our Constitution which changed the Sessions of the General Assembly from annual to biennial, was adopted mainly as a measure of economy. An examination of the average expenses of the Government before and since the change, will show that the results anticipated have been but very partially realized. It is, indeed, doubted whether the true interest of the State does not call for a return to annual sessions. The subject is worthy of the careful consideration of the people's representatives.

FEDERAL RELATIONS.

The present political aspect of the non-slaveholding States of the Union, furnishes cause for serious reflection and

apprehension on the part of the South. In 1850, we submitted to a Compromise, as it was termed, which a second time branded us with inequality in the Union. It deprived us of our just right to participate in the settlement of California;—it dismembered a slave State, under a threat of coercion by Federal arms;—it singled out from the great mass of property the controlling property of the South, and denied us the privilege of converting it into money in the District of Columbia: and for these surrenders, what did we receive? We were told that we were compensated by a clear and decided acknowledgment of our constitutional rights on two points. One was the right to reclaim our fugitive slaves, and the other was the recognition and adoption, by the Federal Government, of the great principle of Non-Intervention on the subject of slavery, in the organization of the Territories of the Union. We were told that the Wilmot proviso had been strangled, and that in future the North and the South, like a band of brothers, were to settle the common Territories, and that they were to be admitted as States when they organized their Governments, with or without slavery, as the inhabitants might determine. With these recognitions, although but the acknowledgment of rights already possessed, the South rested. The fugitive slave law, although fair in theory, and honestly and promptly executed by the Government, has proved in practice worse than useless. Such have been the obstructions thrown in the way of its execution, that in some instances the cost of recovering a single slave have been more than twenty times his value, while in others the blood, and even the life, of the Southern citizen, has atoned for his temerity in availing himself of the provisions of the law.

The organization of the territories of Nebraska and Kansas, furnished an opportunity for testing the sincerity of the country on the subject of Non-Intervention. The introduction of the bills arrayed against the Constitution and the South, the armies of Abolition fanaticism. The men of the South, standing upon the Constitution, cheered

on by a noble and distinguished band of Northern Senators and Representatives, and sustained by the power and influence of a patriotic Administration, achieved a victory. The struggle was violent and protracted, but the Constitution triumphed. The Territories were organized. The Missouri restriction which, for more than thirty years, had been branding the South with inequality, was repealed. The question of slavery was referred to the Constitution, Congressional non-intervention established, and the patriot permitted to hope that the Constitution of the country, and equal rights under it, would become the watch-word in every section. Such hopes, however, were doomed to an early disappointment. The passage of these bills only transferred the battle to another field, and was made the signal for new and fanatical organizations in the non-slaveholding States. They inscribed on their banners, "A RESTORATION OF THE MISSOURI RESTRICTION—THE REPEAL OF THE FUGITIVE SLAVE LAW, AND THE ADMISSION OF NO MORE SLAVE STATES INTO THE UNION." On such a platform they have met, and most signally defeated the men of the Constitution. They have, with possibly a single exception, controlling majorities in every non-slaveholding State, and have, for the first time under our Government, elected a House of Representatives purely and wickedly sectional in its character. In view of all this, the South is calm and unmoved. She is prepared to abide by the Union, made by the Constitution, with equal rights under it. Beyond this, she will be forced to act upon the sentiment, "A union of the South for the protection of the South."

Pledging my co-operation in all constitutional measures calculated to promote the honor and interest of the State, and anxiously desiring the blessing of God upon your deliberations, I am,

Your fellow citizen,

JAMES E. BROOME.